

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

SERVER TECHNOLOGY, INC.,	)	CASE NO. 3:06-CV-698-LRH-VPC
	)	
Plaintiff(s),	)	MINUTES OF COURT
	)	
vs.	)	DATE: 2/23/12
	)	
AMERICAN POWER CONVERSION	)	
CORPORATION,	)	
	)	
Defendant(s).	)	
	)	

PRESENT: THE HONORABLE LARRY R. HICKS, U.S. DISTRICT JUDGE

Deputy Clerk: Dionna Negrete Reporter: Donna Davidson

Counsel for Plaintiff(s): James E. Hartley, Donald A. Degnan, Michael R. Henson,  
and Matthew B. Hippler

Counsel for Defendant(s): Terrance Truax, Kristopher R. Kiel, Michael Babbitt, Stephen Geissler  
and William Peterson.

MINUTES OF HEARING RE Plaintiff's Motion for Summary Judgment Dismissing APC's Patent Infringement Counterclaim [277], Plaintiff's Motion for Summary Judgment on APC's Inequitable Conduct Counterclaim [279], and Defendant's Motion for Summary Judgment [287].

10:00 a.m. Court convenes. Counsel state their appearances for the record. Mr. Hartley introduces Mr. Carol Ewing the CEO of Server Technology, Inc. to the Court. The Court welcomes Mr. Ewing to the courtroom. The Court and counsel confer regarding the breakdown of the presentation of argument today.

Counsel present argument as to their respective positions regarding the Motions for Summary Judgment [277] and [287].

11:45 a.m. Court stands at recess.

1:30 p.m. Court reconvenes. All parties are present. Counsel present further argument.

3:25 p.m. Court stands at recess.

3:35 p.m. Court reconvenes. All parties are present. Counsel continue with further argument.

STI v. APC  
3:06-cv-698-LRH-VPC  
2/23/12  
Page 2

---

5:10 p.m. The Court addresses counsel as to whether this matter should be continued for further presentation of argument on another day. The Court allows counsel to confer, and takes a short recess.

5:15 p.m. Court reconvenes. The parties agree to complete their arguments today and proceed accordingly. Counsel conclude their oral argument presentations. In the interest of time the parties submit on the pleadings and stipulate to waive argument as to Plaintiff's Motion for Summary Judgment on APC's Inequitable Conduct Counterclaim [279]. IT IS ORDERED that Plaintiff's Motion for Summary Judgment [279] is DENIED. IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment Dismissing APC's Patent Infringement Counterclaim [277], and Defendant's Motion for Summary Judgment [287], stand submitted to the Court. IT IS ORDERED that counsel shall submit simultaneous Proposed Orders to the Court by 3/16/12. Responses shall be due 3/26/12 and Replies due 4/2/12.

5:55 p.m. Court adjourns.

Thereafter, counsel stipulate to preparing the simultaneous Proposed Orders without Responses and Replies if the Court so agrees. IT IS ORDERED that simultaneous Proposed Orders by the parties shall be submitted to the Court by 3/16/12, and pursuant to the stipulation between the parties, and agreement by the Court, there will be no Responses or Replies submitted as previously ordered. IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: D. Negrete  
Deputy Clerk